Notice of Denial for Rental Housing Due to Criminal History Screening

This model letter was prepared by the Department of Housing and Community Development for housing providers to use after denying an application for housing due to an applicant's criminal history. This form, as provided, includes necessary requirements from the Fair Chance Housing Act. Housing providers are not required to use this form and may prepare and use their own document or use this document with their own letterhead.

Applicant Name: _____

You are receiving this notice because your housing application for the property _____ _____(name) located at __ _____ (address) has been denied because of your criminal history record. The following provides additional information about the basis of your denial.

1) A denial was based on criminal conviction disclosures made before making a conditional offer.

[ ] Yes
[ ] No

2) You applied to live in federally assisted housing and your criminal history includes a conviction for producing, manufacturing, distributing, or dispensing methamphetamine in federally assisted housing.

[ ] Yes
[ ] No

3) Your criminal conviction disclosure or the criminal history check we ran included the following conviction(s) under the Maryland Criminal Law Article:

[ ] A felony conviction that occurred within the last five (5) years
[ ] Child Pornography Crimes under §11-207
[ ] First or Second-Degree Murder under §2-201 or §2-204
[ ] Human Trafficking under §3-1102
[ ] Sex offenses under Title 3, Subtitle 3
[ ] Out-of-state or federal court equivalents of any of the above

4) You are currently on a sex offender registry or have ever been on one:

[ ] Yes
[ ] No

5) Your application was denied or the conditional offer was withdrawn because of the following conviction(s):

_____
_____
_____
_____
_____

On _____ (date), you were provided with a copy of your criminal background check.

[ ] You did not dispute the accuracy or relevance of the information contained in the criminal background check.
[ ] You disputed the accuracy of the criminal conviction(s) in the criminal background check, but did not provide third party evidence in support of your claim(s).

You requested an individualized assessment of your application and submitted evidence of rehabilitation and other mitigating factors on_____date). The individualized assessment considered the following factors:

[ ] The nature and severity of the criminal offense
[ ] Your age when the criminal offense occurred
[ ] How long ago the criminal offense occurred
[ ] Whether the criminal offense occurred on property you were renting
[ ] The number of criminal convictions that can be considered under the law
[ ] The length of time that has passed since your most recent conviction
[ ] Evidence of good conduct since the criminal offense
[ ] Evidence of rehabilitation, including family and community support
[ ] Your history as a tenant before and/or after the conviction
[ ] Whether a recurrence of the same criminal activity would negatively impact the safety of other tenants or the property

[ ] If you are disabled and your criminal conviction was related to or because of your disability, whether a reasonable accommodation would reduce or eliminate any risk

[ ] Any other mitigating factors you provided information about:

_____

_____

_____

Based on the individualized assessment, we are withdrawing our conditional offer for housing because it is necessary to fulfil a substantial, legitimate and nondiscriminatory interest. The specific reason for withdrawing the conditional offer is:

_____

_____

_____

_____

You have the right to request a copy of all information we used to reach this decision. You also have the right to file a complaint with the Maryland Department of Housing and Community Development's Office of Tenant and Landlord Affairs and with the Maryland Attorney General's Consumer Protection Division.

Sincerely,

Authorized Representative: _____

Title: _____

Landlord or Management Company: _____

Date: _____